

Remarks/Arguments:

Applicants acknowledge, with thanks, the courtesy of the Examiner for granting a telephone interview on September 4, 2008.

Claims 2 and 51-101 are pending in the above-identified application. Claims 1 and 3-50 have been cancelled.

Claims 2 and 51-101 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Takahashi. Claim 2 is amended to recite features neither disclosed or suggested by the prior art, namely,

... an apparatus-side information holding unit for holding **a first copyright processing information** of the information processing apparatus ...

... a medium-side information acquiring unit for acquiring **a second copyright processing information** recorded on the recording medium ...

... a recording judgment unit for judging whether or not to record the content stored in the content holding unit based on **the first copyright processing information** held by the apparatus-side information holding unit and **the second copyright processing information** acquired by the medium-side information acquiring unit. (Emphasis added).

Basis for these amendments may be found in the specification at page 16, lines 4-22 and Figure 5.

During the interview, the Examiner indicated that the amendment to claim 2 appeared to overcome the rejection, but required further consideration. Thus, Applicants respectfully submit that claim 2 is allowable over the art of record. Claims 51-70 and 72-101 ultimately depend from claim 2. Accordingly, claims 51-70 and 72-101 are likewise allowable over the art of record.

Claim 71, while not identical to claim 2, includes features similar to those set forth above with regard to claim 2. Thus, claim 71 is also allowable over the art of record for reasons similar to those set forth above with regard to claim 2.

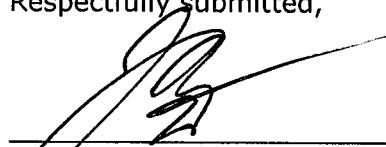
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MAT-8597US

New claims 103 and 104 have been added. Basis for these new claims may be found in the specification at page 10, line 25 to page 12, line 5 and page 18, line 23 to page 19, line 5.

In view of the foregoing amendments and remarks, this Application is in condition for allowance which action is respectfully requested.

Respectfully submitted,



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